




Speech By  
**Ali King**

**MEMBER FOR PUMICESTONE**

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Record of Proceedings, 24 May 2023

## **TOBACCO AND OTHER SMOKING PRODUCTS AMENDMENT BILL**

 **Ms KING** (Pumicestone—ALP) (3.40 pm): The Tobacco and Other Smoking Products Amendment Bill is an important milestone in our Palaszczuk government's ongoing work to safeguard the health of Queenslanders. It contains robust measures to regulate the sale of tobacco and other smoking products, protecting Queenslanders, especially young Queenslanders, from facing a lifetime capture by nicotine addiction and it contains measures to expand smoke-free zones.

I have been reflecting on the impact of this legislation and all that has gone before it. As I get older, more and more often I am asked about the health histories of the women in my family, as we all are as we engage in our own preventive health care. Quite literally, my siblings and I do not know what our genetic predisposition to a whole range of diseases may be because both my grandmothers died too young of smoking related illness. One of them was in her 50s and the other was in her very early 60s. While as a young person that seemed a fairly advanced age, now that I am in my mid 40s it seems less so and I reflect on what a loss that is. For decades and decades that has been the story for many Queensland families across generations. It is a story of the lost lives of those we love.

I cannot continue without reflecting on the absolutely bizarre insight that we received into the world according to the member for Mirani following his ruminations about how smoking saves the health system money and saves on the payment of pensions because people die sooner. I do not even know where to go with that except to say that it is absolutely untrue. Smoking costs our economy well over \$20 billion a year and that is on every measure: years shortened, the cost of health care, the provision of sick days to people and all of the constraints on our economy. It is not a cost saver for people to smoke.

Historically, Queenslanders have been over-represented in smoking statistics. More Queenslanders smoke and over the past decade it has taken a concerted effort between our state and the Commonwealth government to bring the level of Queenslanders smoking down by about 50 per cent to just over 10 per cent. I acknowledge the contribution of the former chief health officer and now Governor of Queensland, Dr Jeannette Young, in that really important work. It included the introduction of plain packaging, requiring product warning labels to be visible, banning tobacco advertising and legislating smoke-free places, and it made a slow but steady difference. The biggest benefit of those measures comes from delaying or preventing new cohorts from taking up smoking rather than convincing existing smokers to quit. We can support people to quit, but nicotine is so addictive that people are likely to remain addicted and lapse in and out of smoking throughout their whole lives. Sadly, the health impacts of smoking are disproportionately experienced by First Nations people and those facing socio-economic disadvantage.

That is why it is tragic that recent trends in the tobacco industry have created a whole new generation of people who are dependent on nicotine. During COVID, when our public health units were completely overwhelmed with contact tracing and all of the other work of fighting a pandemic, communities across Queensland were gradually infiltrated by shadowy retailers selling tobacco products that do not meet product safety standards, have been smuggled into Australia without the

payment of tax, do not meet plain packaging requirements and often contain dangerous additives. Now in Queensland it is likely that there are more illegal chop-chop shops than legitimate tobacconists and we know that they are doing real harm through practises such as selling products to underage children and selling individual cigarettes.

Frighteningly, those retailers are universally selling illegal non-prescription nicotine-containing vapes without coming clean to consumers about the fact that those vapes do contain nicotine. We have seen that vapes contain nicotine in frighteningly high percentages. Queenslanders who decide to smoke or vape deserve to clearly understand what it is that they are taking into their bodies. Illegal tobacco products have been found to contain pesticides, high levels of mould and preservatives that are not safe for human consumption, and vapes have been shown to contain chemicals such as formaldehyde and very high nicotine levels.

Generally, chop-chop outlets are cash only. To purchase, they require people to withdraw money from high priced ATMs on site. They evade tax and there are well-established links with organised crime. They evade public health inspectors, leading to much of the frustration and despair that we heard about in our committee hearings. They use every possible loophole to evade scrutiny, whether that is scrutiny by police, taxation authorities or public health officials. At our health committee hearings, stakeholders described threatening behaviour towards other retailers and there were even some reports of competing illegal tobacco establishments firebombing each other. There is big money in tobacco and it is time we take steps to shut down this illicit trade. That is why key measures in this bill are so important in our fight against illegal chop-chop shops and the sale of dangerous nicotine products.

Until now, the lack of a licensing scheme has hindered Queensland Health's ability to identify and monitor businesses that sell smoking products and it has left public health units struggling to implement compliance programs. The bill introduces a licensing scheme for both wholesale and retail sales. Licences will need to be renewed annually. To be granted a licence the applicant must pass a fit-and-proper person test, which will go some way towards severing relationships with organised crime. The fees for the licence will fund additional compliance activities conducted by Queensland Health throughout the state. This licensing scheme creates a strong incentive for the industry to maintain compliance standards. Breaches of the act or an unsuitability to continue as a licensee can result in a licence suspension or cancellation. The bill brings Queensland into line with other Australian jurisdictions. I note that the licensing scheme has been enthusiastically received by the industry, including tobacconists, newsagencies and supermarkets. Stakeholders expressed a degree of comfort with the proposed level of the fees.

Importantly, the bill makes it an offence under Queensland law for a person to supply smoking products that do not comply with Commonwealth requirements. As the member for Southport said, there was overlap between our inquiry into vaping and its impacts and our inquiry into this bill. However, the fact that the bill implements those relevant Commonwealth laws that we have seen foreshadowed by the federal health minister relating to banning non-prescription vapes, introducing plain packaging and banning flavoured vapes overall does greatly assist in the public health goals of our government. It futureproofs our laws ahead of the introduction of tighter national requirements in relation to e-cigarettes, in particular. I welcome the Albanese federal Labor government's strong action to curb the harms of vaping.

Throughout this process, every committee member was intensely lobbied by people with a financial interest in the continuation and legalisation of vaping and that included a lot of false and misleading information about its safety. That is why, to me, it was very concerning to hear calls by the federal National Party leader David Littleproud for vapes to be legalised and even to be sold legally in our supermarkets. The CEO of the Public Health Association of Australia, Adjunct Professor Terry Slevin, said this of the Nationals policy—

It is dangerous and is guaranteed to commit today's children and future generations of Australians to lifelong nicotine addiction. It is not surprising to hear those really dangerous policy proposals given the shameful fact that the federal Nationals still accept very substantial donations from big tobacco. Since 2017 they have taken over \$245,000 from donors such as Philip Morris.

If the Nationals really care about the health of Queenslanders, it is time for them to refuse to accept these dirty donations. If members of the LNP really care about the health of Queenslanders, as they say they do, it is time for them to call on their federal Nationals counterparts to stop taking these filthy donations. This bill meets our Palaszczuk government's election commitments and it takes action to strengthen and modernise our responses to the harms of nicotine use. I commend the bill to the House.